

## **Exhibit 2**

**Defendant Samsung Electronics America, Inc.'s Motion to Dismiss First Amended Class Action Complaint (April 24, 2018)**

COUNT I: UNJUST ENRICHMENT						
Plaintiff	State	Fails Because Relationship Governed by Limited Warranty	Fails Because Refrigerators Continued To Be Used	Fails Because Plaintiffs Do Not Plead They Expected Remuneration From SEA	Fails Because No Benefit Conferred Upon SEA	Fails Because Unjust Enrichment Not an Independent Cause of Action
		(Part III.A)	(Part III.A)	(Part III.A)	(Part III.A)	(Part III.A)
Bianchi, R.	VA	X	X	X		
Bianchi, D.	VA	X	X	X		
Marino	FL	X	X			
Bishop	FL	X	X			
Castelo, M.	CA	X	X			X
Castelo, F.	CA	X	X			X
Mahoney, J.	NJ	X	X	X	X	
Mahoney, L.	NJ	X	X	X	X	
Cecconi, R.	PA	X	X			
Cecconi, P.	PA	X	X			
Kauffman	PA	X	X			
Rosengarten	PA	X	X			

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COUNTS II, VIII, X, XIII, XVI and XVIII: IMPLIED WARRANTY OF MERCHANTABILITY						
Plaintiff	State	Fails Because the Limited Warranty Limited the Implied Warranty of Merchantability to One Year	Fails Because Keeps Refrigerators Fit for Their Ordinary Purpose at the Time of Delivery	Fails for Lack of Pre-Suit Notice	Fails Because Does Not Allege Privity with SEA	Fails to the Extent Based on UCC Provisions Applicable to Leased Goods
		(Part III.C.1)	(Part III.C.2-3)	(Part III.C.4)	(Part III.C.5)	(Part III.C.6)
Bianchi, R.	VA	X	X			X
Bianchi, D.	VA	X	X			X
Marino	FL	X	X		X	X
Bishop	FL	X	X		X	X
Castelo, M.	CA	X	X	X	X	X
Castelo, F.	CA	X	X	X	X	X
Mahoney, J.	NJ		X	X		X
Mahoney, L.	NJ		X	X		X
Cecconi, R.	PA	X	X	X	X	X
Cecconi, P.	PA	X	X	X	X	X
Kauffman	PA		X	X	X	X
Rosengarten	PA		X	X	X	X

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COUNT III: INJUNCTIVE AND DECLARATORY RELIEF						
Plaintiff	State	Declaration Sought Misconstrues Purpose of Declaratory Judgment Act	Declaratory Relief Fails Because No Alleged Facts of Likelihood of Future Injury	Declaratory Relief Fails Because Duplicative of Relief Sought From Other Claims	Injunctive Relief Is a Remedy, Not Cause of Action	Injunctive Relief Fails Because Lack of Allegations for Elements of Injunctive Relief
		(Part III.G)	(Part III.G)	(Part III.G)	(Part III.G)	(Part III.G)
Bianchi, R.	VA	X	X	X	X	X
Bianchi, D.	VA	X	X	X	X	X
Marino	FL	X	X	X	X	X
Bishop	FL	X	X	X	X	X
Castelo, M.	CA	X	X	X	X	X
Castelo, F.	CA	X	X	X	X	X
Mahoney, J.	NJ	X	X	X	X	X
Mahoney, L.	NJ	X	X	X	X	X
Cecconi, R.	PA	X	X	X	X	X
Cecconi, P.	PA	X	X	X	X	X
Kauffman	PA	X	X	X	X	X
Rosengarten	PA	X	X	X	X	X

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COUNT IV - STRICT LIABILITY - DESIGN DEFECT								
Plaintiff	State	Fails Because Claim Barred Under of Economic Loss Doctrine	Fails Because Plead No Design Defect	Fails Because Do Not Allege Refrigerators Are "Unreasonably Dangerous"	Fails Because Do Not Allege Existence of Alternative Design	Fails Because Barred by New Jersey Products Liability Act	Fails Because Plead No Claim Recognized by California Law	Fails Because Virginia Does Not Recognize Strict Liability Claim
		(Part III.D.1)	(Part III.D.2)	(Part III.D.3.a)	(Part III.D.3.b)	(Part III.D.3.c)	(Part III.D.3.d)	(Part III.D.4)
Bianchi, R.	VA	X						X
Bianchi, D.	VA	X						X
Marino	FL	X	X	X				
Bishop	FL	X	X	X				
Castelo, M.	CA	X	X				X	
Castelo, F.	CA	X	X				X	
Mahoney, J.	NJ	X	X		X	X		
Mahoney, L.	NJ	X	X		X	X		
Cecconi, R.	PA	X	X	X	X			
Cecconi, P.	PA	X	X	X	X			
Kauffman	PA	X	X	X	X			
Rosengarten	PA	X	X	X	X			

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COUNT V: FRAUDULENT CONCEALMENT							
Plaintiff	State	Fails Because Does Not Satisfy Rule 9(b)	Fails Because Alleges No False Representation by SEA	Fails Because Alleges No Facts Showing SEA's Knowledge	Fails Because Alleges No Intent by SEA to Conceal	Fails Because Alleges No Reliance Upon Any Purportedly False Representation by SEA	Fails Because Alleges No Facts That SEA Owed a Duty to Disclose
		(Part III.F.1)	(Part III.F.2.a)	(Part III.F.2.b)	(Part III.F.2.c)	(Part III.F.2.d)	(Part III.F.2.e)
Bianchi, R.	VA	X	X	X	X	X	X
Bianchi, D.	VA	X	X	X	X	X	X
Marino	FL	X	X	X	X	X	X
Bishop	FL	X	X	X	X	X	X
Castelo, M.	CA	X	X	X	X	X	X
Castelo, F.	CA	X	X	X	X	X	X
Mahoney, J.	NJ	X	X	X	X	X	X
Mahoney, L.	NJ	X	X	X	X	X	X
Cecconi, R.	PA	X	X	X	X	X	X
Cecconi, P.	PA	X	X	X	X	X	X
Kauffman	PA	X	X	X	X	X	X
Rosengarten	PA	X	X	X	X	X	X

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COUNT VI: STRICT LIABILITY - FAILURE TO WARN			
Plaintiff	State	Fails Because Claim Barred Under Economic Loss Doctrine	Fails Because Virginia Does Not Recognize Strict Liability Claim
		(Part III.D.1)	(Part III.D.4)
Bianchi, R.	VA	X	X
Bianchi, D.	VA	X	X
Marino	FL	N/A Asserted only on behalf of Virginia Plaintiffs	
Bishop	FL		
Castelo, M.	CA		
Castelo, F.	CA		
Mahoney, J.	NJ		
Mahoney, L.	NJ		
Cecconi, R.	PA		
Cecconi, P.	PA		
Kauffman	PA		
Rosengarten	PA		

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COUNT VII - VIRGINIA CONSUMER PROTECTION ACT					
Plaintiff	State	Fails Because Does Not Satisfy Rule 9(b)	Fails Because Alleges No Misrepresentations or Omission	Fails Because Does Not Allege Reliance	Fails Because Alleges No Deliberate, Knowing Acts by SEA
		(Part III.E.1)	(Part III.E.2)	(Part III.E.2)	(Part III.E.2)
Bianchi, R.	VA	X	X	X	X
Bianchi, D.	VA	X	X	X	X
Marino	FL	N/A Asserted only on behalf of Virginia Plaintiffs			
Bishop	FL				
Castelo, M.	CA				
Castelo, F.	CA				
Mahoney, J.	NJ				
Mahoney, L.	NJ				
Cecconi, R.	PA				
Cecconi, P.	PA				
Kauffman	PA				
Rosengarten	PA				



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COUNT IX - FLORIDA DECEPTIVE AND UNFAIR TRADE PRACTICES ACT					
Plaintiff	State	Fails Because Does Not Satisfy Rule 9(b)	Fails Because Alleges No Facts Showing Deceptive Act by SEA	Fails Because Does Not Allege Causation	Fails Because Does Not Plead Actual Damages
		(Part III.E.1)	(Part III.E.3)	(Part III.E.3)	(Part III.E.3)
Bianchi, R.	VA	N/A Asserted only on behalf of Florida Plaintiffs			
Bianchi, D.	VA				
Marino	FL	X	X	X	X
Bishop	FL	X	X	X	X
Castelo, M.	CA	N/A Asserted only on behalf of Florida Plaintiffs			
Castelo, F.	CA				
Mahoney, J.	NJ				
Mahoney, L.	NJ				
Cecconi, R.	PA				
Cecconi, P.	PA				
Kauffman	PA				
Rosengarten	PA				

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COUNT XI -CALIFORNIA CONSUMER LEGAL REMEDIES ACT					
Plaintiff	State	Fails Because Does Not Satisfy Rule 9(b)	Fails Because Alleges No Misrepresentation or Omission by SEA	Fails Because Alleges No Reliance	Damages Claim Fails for Lack of Statutory Notice to SEA
		(Part III.E.1)	(Part III.E.6)	(Part III.E.6)	(Part III.E.6)
Bianchi, R.	VA	N/A Asserted only on behalf of California Plaintiffs			
Bianchi, D.	VA				
Marino	FL				
Bishop	FL				
Castelo, M.	CA	X	X	X	X
Castelo, F.	CA	X	X	X	X
Mahoney, J.	NJ	N/A Asserted only on behalf of California Plaintiffs			
Mahoney, L.	NJ				
Cecconi, R.	PA				
Cecconi, P.	PA				
Kauffman	PA				
Rosengarten	PA				

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COUNT XII - CALIFORNIA UNFAIR COMPETITION LAW						
Plaintiff	State	Fails Because Does Not Satisfy Rule 9(b)	Fails Because No Exposure to Pre-Purchase Representations	UCL Unlawful Prong Fails	UCL Unfair Prong Fails	UCL Fraudulent Prong Fails
		(Part III.E.1)	(Part III.E.6)	(Part III.E.6)	(Part III.E.6)	(Part III.E.6)
Bianchi, R.	VA	N/A Asserted only on behalf of California Plaintiffs				
Bianchi, D.	VA					
Marino	FL					
Bishop	FL					
Castelo, M.	CA	X	X	X	X	X
Castelo, F.	CA	X	X	X	X	X
Mahoney, J.	NJ	N/A Asserted only on behalf of California Plaintiffs				
Mahoney, L.	NJ					
Cecconi, R.	PA					
Cecconi, P.	PA					
Kauffman	PA					
Rosengarten	PA					

## COUNT XIII - SONG-BEVERLY CONSUMER WARRANTY ACT

COUNT XIII - SONG-BEVERLY CONSUMER WARRANTY ACT							
Plaintiff	State	Fails Because the Limited Warranty Limited the Implied Warranty of Merchantability to One Year	Fails Because Keeps Refrigerators Fit for Their Ordinary Purpose at the Time of Delivery	Fails Because California Civil Code § 1791 Limits Implied Warranty to Express Warranty Period	Fails for Lack of Pre-Suit Notice	Fails Because Does Not Allege Privity with SEA	Fails to the Extent Based on UCC Provisions Applicable to Leased Goods
		(Part III.B.3)	(Part III.B.3)	(Part III.B.3)	(Part III.C.4)	(Part III.C.5)	(Part III.C.6)
Bianchi, R.	VA	N/A Asserted only on behalf of California Plaintiffs					
Bianchi, D.	VA						
Marino	FL						
Bishop	FL						
Castelo, M.	CA	X	X	X	X	X	X
Castelo, F.	CA	X	X	X	X	X	X
Mahoney, J.	NJ	N/A Asserted only on behalf of California Plaintiffs					
Mahoney, L.	NJ						
Cecconi, R.	PA						
Cecconi, P.	PA						
Kauffman	PA						
Rosengarten	PA						

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COUNT XIV - NEW JERSEY CONSUMER FRAUD ACT				
Plaintiff	State	Fails Because Does Not Satisfy Rule 9(b)	Fails Because Does Not Plead An Ascertainable Loss	Fails Because Does Not Allege a Misrepresentation or Omission by SEA
		(Part III.E.1)	(Part III.E.4)	(Part III.E.4)
Bianchi, R.	VA	N/A Asserted only on behalf of New Jersey Plaintiffs		
Bianchi, D.	VA			
Marino	FL			
Bishop	FL			
Castelo, M.	CA			
Castelo, F.	CA			
Mahoney, J.	NJ	X	X	X
Mahoney, L.	NJ	X	X	X
Cecconi, R.	PA	N/A Asserted only on behalf of New Jersey Plaintiffs		
Cecconi, P.	PA			
Kauffman	PA			
Rosengarten	PA			

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COUNT XV: EXPRESS WARRANTY				
Plaintiff	State	Fails Because No Timely Claim Ever Made by Plaintiffs or Denied by SEA	Fails Due to Lack of Pre-Suit Notice	Fails to the Extent Based on UCC Provisions Applicable to Leased Goods
		(Part III.B.1)	(Part III.B.2)	(Part III.B.3)
Bianchi, R.	VA	N/A Asserted only on behalf of New Jersey Plaintiffs		
Bianchi, D.	VA			
Marino	FL			
Bishop	FL			
Castelo, M.	CA			
Castelo, F.	CA			
Mahoney, J.	NJ	X	X	X
Mahoney, L.	NJ	X	X	X
Cecconi, R.	PA	N/A Asserted only on behalf of New Jersey Plaintiffs		
Cecconi, P.	PA			
Kauffman	PA			
Rosengarten	PA			

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COUNT XVII - PENNSYLVANIA UNFAIR TRADE PRACTICES AND CONSUMER PROTECTION LAW						
Plaintiff	State	Fails Because Does Not Satisfy Rule 9(b)	Fails Because Claim Barred Under Economic Loss Doctrine	Fails Because Does Not Allege Reliance	Fails Because Does Not Allege Causation	Fails to Allege Deceptive Conduct by SEA
		(Part III.E.1)	(Part III.B.5)	(Part III.B.5)	(Part III.B.5)	(Part III.B.5)
Bianchi, R.	VA	N/A Asserted only on behalf of Pennsylvania Plaintiffs				
Bianchi, D.	VA					
Marino	FL					
Bishop	FL					
Castelo, M.	CA					
Castelo, F.	CA					
Mahoney, J.	NJ					
Mahoney, L.	NJ					
Cecconi, R.	PA	X	X	X	X	X
Cecconi, P.	PA	X	X	X	X	X
Kauffman	PA	X	X	X	X	X
Rosengarten	PA	X	X	X	X	X